

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHAWN DRUMGOLD, Plaintiff ) ) v ) ) TIMOTHY CALLAHAN, ET AL. Defendant(s) )	C.A. NO. 04-11193NG ) ) ) ) )
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**PLAINTIFF'S PROPOSED SCHEDULING ORDER**

**Introduction**

**A. Bifurcation**

Plaintiff opposes bifurcating the trial or discovery. The issues in this case cannot be cleanly bifurcated. The liability of the individual officers necessarily involves their training and knowledge concerning the City of Boston practices and procedures in homicide investigations and the liability of the City of Boston necessarily involves the evidence concerning practices in this particular case. Plaintiff cannot receive a fair trial if those issues are artificially bifurcated.

If the court is inclined to consider bifurcation, Plaintiff requests the opportunity to brief the matter.

**B. Limitations on Discovery**

The Defendants have given estimates of everywhere from 25 to 150 depositions as "necessary" in this case. This Court should encourage the parties to conduct efficient and appropriate discovery rather than the discovery for discovery 's sake. Plaintiff would urge the Court to impose a limit of 30 depositions per side. Parties should be allowed, after taking 30 depositions, to move by motion to take further depositions upon showing that they are reasonably

necessary.

**Proposed Schedule**

Initial disclosure to be made on or before August 1<sup>st</sup>, 2005;

Motions to Dismiss to be filed on or before August 26<sup>th</sup>, 2005;

Plaintiff's Expert Disclosures pursuant to Rule 26A(2) to be made on or before February 15<sup>th</sup>, 2006;

Defendant's Expert Disclosures pursuant to Rule 26A(2) to be made on or before March 1<sup>st</sup>, 2006

Depositions to be concluded on or before April 1<sup>st</sup>, 2006;

Expert depositions, if necessary, to be completed on or before April 1<sup>st</sup>, 2006;

Motions for Summary Judgment to be filed on or before May 1<sup>st</sup>, 2006;

Final pre-trial conference on June 20<sup>th</sup>, 2006 or as convenient to the Court.

Respectfully submitted,  
Attorney for Plaintiff,  
Shawn Drumgold

/s/ Rosemary Curran Scapicchio

Rosemary Curran Scapicchio, Esq.  
Four Longfellow Place  
Suite 3703  
Boston, MA 02114  
(617) 263-7400  
BBO# 558312

Respectfully submitted,  
Attorney for Plaintiff,  
Shawn Drumgold

/s/ Michael W. Reilly

Michael W. Reilly, Esq.  
Tommasino & Tommasino  
2 Center Plaza  
Boston, MA 02108  
(617) 723-1720  
BBO# 415900